

ORDINANCE NO. 2024- 107

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, MAKING REVISIONS TO CITY OF TAMPA CODE OF ORDINANCES, CHAPTER 22 (STREETS AND SIDEWALKS), ARTICLE I (ADMINISTRATIVE PROVISIONS); AMENDING SECTIONS 22-116 THROUGH 22-121 AND SECTIONS 22-123 THROUGH 22-128 AND SECTIONS 22-132 THROUGH 22-133; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Tampa has determined that the following amendments to Chapter 22, Code of Ordinances are necessary to provide safe, reliable, and efficient multimodal transportation management, operation, and maintenance services; and

WHEREAS, the City of Tampa Mobility Department has determined that the Code of Ordinances sections 22-116 through 22-121, 22-123 through 22-128, 22-132, and 22-133, should be updated to reflect changes in current Americans with Disabilities Act and related Public Right-of-Way Accessibility Guidelines regulations and the bench industry; and

WHEREAS, the City Council of the City of Tampa has determined that the proposed amendments promote and protect the general health, safety, and welfare of the residents of the City of Tampa; and

WHEREAS, duly noticed public hearings as required by law were held by the City Council of the City of Tampa, at which public hearings all residents and interested persons were given an opportunity to be heard.

NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF TAMPA, FLORIDA:**

Section 1. The Recitals set forth above are hereby adopted and incorporated into the body of this Ordinance as if fully set forth herein.

Section 2. That "**Sec. 22-116 – Persons permitted to place benches on sidewalks; applicability of article.**" is hereby amended by adding the underlined language and deleting the stricken language as follows:

"Sec. 22-116. – Persons permitted to place benches on ~~sidewalks~~ public rights-of-way; applicability of article.

Any person duly incorporated under the laws of the state or duly authorized to transact business in the state who ~~comply~~ complies with the provisions of this

1 article may be permitted to place and maintain within the corporate limits of the
2 city benches for the use and convenience of the general public. Such benches
3 may be located on city public right-of-way only where, in the determination of
4 the city Mobility Department ~~department of public works~~, hereinafter referred
5 ~~to simply as the DPW~~, such benches do not present a hazard to pedestrians or
6 motorists. The provisions of this article shall apply ~~only~~ to benches which display
7 advertising, ~~or which are intended for the display of advertising, or which provide~~
8 seating in the public rights-of-way and when such benches are to be located on
9 the city or county public rights-of-way within the corporate limits of the city ~~City~~
10 ~~Limits~~ or when such benches are to be located on private property but the
11 advertising is intended to be viewed from the public rights-of-way.”
12

13 **Section 3.** That “**Sec. 22-117 – Construction and Size.**” is hereby amended by adding
14 the underlined language and deleting the stricken language as follows:
15

16 **“Sec. 22-117 – Construction and Size. Design Standards.**

17 ~~All benches placed or maintained within the corporate limits of the city as~~
18 ~~permitted under the provisions of this article shall be constructed of wood seats~~
19 ~~and backrests placed on white concrete frames. The color of the benches is to be~~
20 ~~approved by the department of public works. Other materials such as plastics,~~
21 ~~metal or fiberglass may be substituted for wood or concrete if product approval~~
22 ~~is first obtained in writing from the DPW. All wood and iron surfaces shall be~~
23 ~~painted or stained and shall have a smooth surface and be without any sharp~~
24 ~~projections or hazardous appurtenances. Each component of a bench shall be~~
25 ~~securely fastened to another appropriate component. The front seat and the top~~
26 ~~back edges shall be beveled or rounded, and the bench shall be so constructed~~
27 ~~as to sustain a minimum load of one thousand (1,000) pounds and shall be in all~~
28 ~~respects suitable for the safe and comfortable seating of the public. All benches~~
29 ~~placed or maintained within the corporate limits of the city under the provisions~~
30 ~~of this article shall not exceed seventy four (74) inches in length, twenty eight~~
31 ~~(28) inches in width and forty three (43) inches in overall height. All benches shall~~
32 ~~have a full seatrest and backrest construction of not less than twelve (12) inches~~
33 ~~in support width for the seat and eight (8) inches for the back, running the full~~
34 ~~length of the bench; provided that any bench with a height greater than thirty~~
35 ~~four (34) inches must have a full backrest at least twenty four (24) inches in~~
36 ~~vertical width. Each bench shall be placed so that it is reasonably level. Any~~
37 ~~changes in the existing topography or placement of concrete pads necessary to~~
38 ~~allow a bench to be placed in a level position must be approved in writing in~~
39 ~~advance by the DPW. Each bench shall display in a conspicuous manner the name~~
40 ~~of the owner and/or sponsor of same or such other identifying symbol, mark,~~
41 ~~design or abbreviation as is acceptable by the DPW.~~
42

43 All benches placed or maintained within the corporate limits of the city as

1 permitted under the provisions of this article shall be designed in such a manner
2 to ensure such benches are placed in locations that do not interfere with the safe
3 operation of traffic control equipment and movement of the traveling public. All
4 benches are subject to the criteria enumerated in this section which shall be
5 depicted on a site plan that has been signed and sealed by a professional
6 engineer.

7
8 (a) Such bench shall not create any safety hazard(s) or physical or visual
9 obstruction to vehicular, bicycle, and/or pedestrian traffic.

10
11 (b) Except as otherwise provided in this article, such benches shall be located
12 only at bus stops along active bus routes recognized as such by any regional transit
13 authority or as near thereto as the physical characteristics of the area and the
14 safety of vehicular and pedestrian traffic will permit. Benches may be placed at
15 locations other than recognized bus stops when, in the determination of the
16 Mobility Department, there is an identified need for a bench as a public
17 convenience and the proposed location is not one which will be mistaken for a
18 bus stop or otherwise lead to the confusion of the public.

19
20 (1) At locations other than recognized bus stops, if a need exists to place
21 appropriate signage, such signage shall be placed alongside or affixed to the
22 bench to prevent confusion.

23
24 (c) The bench shall be located out of the clear zone/recovery area as defined
25 in the Manual of Uniform Minimum Standards for Design, Construction and
26 Maintenance for Streets and Highways, Table 3-15.

27
28 (d) The bench shall not create a sight obstruction as defined in the Florida
29 Greenbook – Manual of Uniform Minimum Standards for Design, Construction
30 and Maintenance for Street and Highways.

31
32 (e) The bench shall adhere to the Americans with Disabilities Act (ADA) /
33 Public Right of Way Accessibility Guidelines (PROWAG) and Elements policy to
34 ensure accessibility and compliance with established standards.

35
36 (1) Benches placed on sidewalks shall maintain a minimum four-foot (4)
37 pedestrian walkway.

38
39 (2) Benches shall be placed on level ground which cannot exceed a two-percent
40 (2) cross slope.

(f) The bench shall adhere to Florida Building Code section 903, which requires:

(1) seats that are forty-two (42) inches long minimum and 20 inches deep minimum and twenty-four (24) inches deep maximum; and

(2) back supports that are forty-two (42) inches long minimum and shall extend from a point two (2) inches maximum above the seat surface to a point eighteen (18) inches minimum above the seat surface. Back support shall be two-and-a-half (2 ½) inches maximum from the rear edge of the seat measured horizontally.

(g) The overall height of the bench shall not exceed forty-eight (48) inches.

(h) No bench shall be placed so that the angle of its long division in relation to the curbline or edge of pavement shall be greater than thirty (30) degrees.

(i) Each bench shall display in a conspicuous manner the name of the owner and/or sponsor of the bench and website or such other identifying symbol, mark, design, or abbreviation as is acceptable by the Mobility Department.

(j) Benches shall be constructed to sustain a minimum load of one thousand (1,000) pounds.

(k) Metal benches or equivalent must be affixed to a concrete pad or sidewalk.

(l) Benches may not negatively impact the operation of a traffic control device.

(m) On request by the Mobility Department director or designee, applicant must provide right-of-way lines as established and mapped by a Florida Professional Surveyor and Mapper or as depicted on signed and sealed roadway plans."

Section 4. That "Sec. 22-118. – **Property owner's permission for placement required; permit required.**" is hereby amended by adding the underlined language and deleting the stricken language as follows:

"Sec. 22-118. – ~~Property Owner's permission for placement required; permit required.~~ Permit Requirements.

1 ~~(a) Before placing any bench within the corporate limits of the city as~~
2 ~~permitted under the provisions of this article, written permission to do so shall~~
3 ~~be obtained from the owner, lessee, or tenant or an authorized representative of~~
4 ~~such owner, lessee, or tenant of the property upon, in front of or alongside which~~
5 ~~each such bench shall be placed. In the instance of improved residential~~
6 ~~property. Permission may be obtained from any adult member of the household.~~

7 ~~(ab) Before placing any bench as provided by this article, application shall be~~
8 ~~made in writing to the director of the Mobility department of public works by the~~
9 ~~person desiring to place such benches, which application shall set out include the~~
10 ~~following:~~

11
12 (1) The full name and business address of such applicant and, if a corporation,
13 where incorporated, and, if a foreign corporation, when authorized to do
14 business in the state;

15
16 (2) A description of the materials, dimensions, and type of construction,
17 together with a scaled drawing, of the proposed bench;

18
19 (3) ~~The description by street number and intersection and corner, if any, of~~
20 ~~the property of or alongside of which it is proposed to place each bench, with a~~
21 ~~plot sketch of the location of the bench in relation to all adjacent streets; of the~~
22 ~~location shall include either the nearest address with street name and number or~~
23 ~~intersection and designated corner;~~

24
25 (4) ~~A statement that permission has been obtained for the placement of a~~
26 ~~bench at such location and the name and address of the person who gave such~~
27 ~~permission. The latitudinal and longitudinal coordinates for each bench location~~
28 ~~must be provided on the site plan;~~

29
30 (5) ~~A statement that the applicant will, if used a permit, comply with all the~~
31 ~~provisions of this article in the placing and maintenance of each bench for which~~
32 ~~a permit shall be issued. If bench installation is proposed to be on private~~
33 ~~property, written permission from the property owner must be obtained and~~
34 ~~submitted with the permit application; and~~

35
36 (6) ~~Written consent from the owner or lessee or tenant, if any, or~~
37 ~~authorized representative of the property owner showing the address upon~~
38 ~~which the bench is located or to be located. Where placement is on a public~~
39 ~~right of way, written consent shall be obtained from the owner, lessee, tenant~~
40 ~~or authorized representative of the owner, lessee or tenant of the property in~~
41 ~~front of, abutting or immediately touching the right of way upon which the~~
42 ~~bench is placed; and A statement that the applicant shall, if issued a permit,~~
43 ~~comply with all the provisions of this article in the placing and maintenance of~~

1 each bench for which a permit shall be issued.”
2

3 **Section 5.** That “**Sec. 22-119. – Permit application.**” is hereby amended by adding the
4 underlined language and deleting the stricken language as follows:
5

6 **“Sec. 22-119. – Permit application.**
7

8 (a) Upon the filing of an application to locate a bench, the ~~department of~~
9 ~~public works~~ Mobility Department director or ~~his~~ their designee shall review it
10 and determine whether the application complies with the requirements of this
11 article and that no prior permit has been issued for a bench or shelter at each
12 location specified.
13

14 (b) If an application is approved, the ~~DPW~~ Mobility Department shall issue a
15 permit to the applicant for the placing of benches at the approved locations upon
16 the furnishing of proof of insurance by the applicant as provided in this chapter
17 hereof and upon the payment of such fees, licenses, taxes, and other charges as
18 shall be fixed and prescribed by this Code.
19

20 (c) Benches placed or maintained under the provisions of this article shall be
21 placed and maintained in accordance with the following criteria:
22

23 ~~(1) Except as otherwise provided in this chapter, such benches shall be~~
24 ~~located only at bus stops recognized as such by the Hillsborough Area Regional~~
25 ~~Transit Authority or as near thereto as the physical characteristics of the area and~~
26 ~~the safety of vehicular and pedestrian traffic will permit. Questions of vehicular~~
27 ~~or pedestrian safety as referred to herein shall be resolved by the appropriate~~
28 ~~city departments.~~
29

30 ~~(2) Unless the permittee is specifically authorized in writing, no bench shall~~
31 ~~be placed so that the angle of its long diversion in relation to the curblin or edge~~
32 ~~of pavement shall be greater than thirty (30) degrees. Benches shall not be placed~~
33 ~~upon any public right of way which is less than four and one half (4½) feet in~~
34 ~~width. Unless specifically authorized, no bench may be placed so that it is closer~~
35 ~~than twenty-four (24) inches to the face of the curb.~~
36

37 ~~{3}~~ (1) Not more than one (1) bench displaying advertising or intended for the
38 display of advertising shall be permitted at a particular bus stop, except as
39 provided in this chapter.
40

41 ~~(4) The location of any bench shall not be approved when the bench at such~~
42 ~~location will or will tend to create a sight obstruction or otherwise impair, impede~~
43 ~~or endanger pedestrian or other traffic.~~

1 ~~(5) (2) Where any the Hillsborough Area Regional Transit Authority regional~~
2 ~~transit authority places a shelter, the permit for any bus bench at that bus stop~~
3 ~~may be revoked; however, the permittee may apply for a new right of way~~
4 ~~permit to replace the revoked permitted location without the payment of any~~
5 ~~additional permit fees. Such permit may be transferred to any other eligible~~
6 ~~location as defined in this article without the payment of any additional permit~~
7 ~~fees.~~

8
9 ~~(6) Benches may be placed at locations other than recognized bus stops when, in~~
10 ~~the determination of DPQ, the following conditions exist at the location:~~

11 ~~—— a. — There exists a need for a bench as a public convenience;~~

12
13 ~~—— b. — The bench would not have an adverse effect on the aesthetic~~
14 ~~appeal of the area;~~

15
16 ~~—— c. — The proposed locations is not one which will be mistaken for a bus~~
17 ~~stop or will otherwise lead to the confusion of the public.~~

18
19 ~~(7)(3) Where there is no sidewalk, a minimum setback from the outer edge of~~
20 ~~the pavement of any road is five (5) six (6) feet. Where a sidewalk exists, the~~
21 ~~bench shall be set back so that a minimum of a thirty-four ~~thirty-four~~ eight (48)-inch path~~
22 ~~on the sidewalk is open. Benches shall be placed such distances in excess of these~~
23 ~~requirements as may be deemed necessary or desirable for the public safety,~~
24 ~~welfare or convenience.~~

25
26 ~~(8) — Benches may not be attached or secured to any traffic control device.~~

27 ~~(4) Benches must be affixed to a concrete pad or placed on a level surface.~~
28 ~~Benches shall not restrict access to or be attached to any traffic control device.~~

29
30 ~~(9) (5) Any permitted bench location may be revoked by Mobility Department if~~
31 ~~the need no longer exists or if a public safety issue exists. Permission which is~~
32 ~~given to place a bench at a specific location or to place a bench in a specific~~
33 ~~manner may be revoked by the director of the DPW if in his sole discretion the~~
34 ~~need no longer exists. The decision of the Mobility Department director or their~~
35 ~~designee the director of the DPW, in respect to the installation and maintenance~~
36 ~~of public benches at any location, shall be final.~~

37
38 ~~(6) Applicant shall conform to all design standards set forth in this chapter."~~

39
40 **Section 6. That "Sec. 22-120. – Payment of application fee required; permit**
41 **expiration."** is hereby amended by adding the underlined language and deleting the stricken
42 language as follows:
43

1 **"Sec. 22-120. – Payment of application fee required; permit expiration.**

2 Each applicant for an initial permit to locate a bench at a designated location
3 shall, ~~at the time of making such application,~~ pay to the ~~department of public~~
4 ~~works~~ Mobility Department an application fee for an initial permit for each
5 proposed location. This fee is to defray the cost of the inspection required herein
6 and offset other expenses incurred in connection with the application. However,
7 if the application is approved, a permit shall be issued to the applicant without
8 further payment for the permit during the city's fiscal year in which the
9 application is made. ~~The expiration date of each approved permit shall be~~
10 ~~September 30, following the date of application."~~

11
12 **Section 7.** That **"Sec. 22-121. – Insurance Required."** is hereby amended by adding
13 the underlined language as follows:

14
15 **"Sec. 22-121. - Insurance required.**

16

17 (c) For a permit issued for a three (3) year renewal, the applicant must submit a
18 certificate of insurance upon expiration of the previous certificate of insurance."

19
20 **Section 8.** That **"Sec. 22-123. – Annual renewal of permit; renewal fee."** is hereby
21 amended by adding the underlined language and deleting the stricken language as follows:

22
23 **"Sec. 22-123. - ~~Annual~~ Renewal of concrete bench permit; renewal fee.**

24
25 (a) The Mobility Department ~~department of public works~~ shall, as deemed
26 necessary, inspect all benches within the city for which permits have been issued
27 ~~so as to determine that such benches conform to the criteria set forth in this~~
28 ~~article~~ chapter. Renewal permits for concrete benches shall run for a one-year
29 cycle expiring on September 30 following the date of application.

30
31 (b) An annual renewal application fee will become due and payable on
32 October 1 for each year. Such fee shall be for each bench then under active
33 permit and for which a permittee desires a yearly permit renewal. The permittee
34 shall furnish with the renewal application fee a list of each and every bench and
35 its location placed by the permittee within the city, ~~and shall indicate on the list~~
36 ~~those benches for which a yearly renewal is requested.~~ The list shall be in the
37 manner, form and order prescribed from time to time by the ~~DPW~~ Mobility
38 Department and shall contain information required by section 22-119 – Permit
39 Application.

40
41 (c) Failure to pay the fee or submit the list on or before October 1 or the
42 failure of a bench under permit to conform to criteria set forth herein shall be
43 grounds to reject the application for renewal. In the event of rejection, the

1 permittee shall remove such bench within ten (10) days after the receipt of
2 written notice by the ~~director of the DPW~~ Mobility Department director or his
3 designee.”

4
5 **Section 9.** That “**Sec. 22-124 - Renewal of metal bench or equivalent permit;
6 renewal fee.**” is hereby created by adding the underlined language:

7
8 **“Sec. 22-124 - Renewal of metal bench or equivalent bench permit; renewal fee.**

9 **(a) The Mobility Department shall, as deemed necessary, inspect all**
10 **permitted benches within the city for which permits have been issued to**
11 **determine that such benches conform to the criteria set forth in this chapter.**
12 **Renewal permits for metal benches or equivalent bench shall run for a three-year**
13 **(3) cycle expiring on September 30 of the third year from the date of the renewal.**

14
15 **(b) Metal bench or equivalent bench permits may be renewed for up to a**
16 **three-year (3) renewal period. Applicants must reapply for permits and pay**
17 **related permit fees. Permit fees will be due and payable on October 1 of the**
18 **applicable cycle year. Such fee shall be for each bench under active permit and**
19 **for which a permittee desires a three-year permit renewal. The permittee shall**
20 **furnish with the renewal application fee a list of each and every bench and its**
21 **location placed by the permittee within the city. The list shall be in the manner,**
22 **form and order prescribed from time to time by the Mobility Department and**
23 **shall contain information required by section 22-119 – Permit Application.**

24
25 **(c) Failure to pay the fee or submit the list on or before October 1 or the**
26 **failure of a bench under permit to conform to criteria set forth herein shall be**
27 **grounds to reject the application. In the event of rejection, the permittee shall**
28 **remove such bench within ten (10) days after the receipt of written notice by the**
29 **Mobility Department director or designee.”**

30
31 **Section 10.** That “**Sec. 22-124. – Objection to permit by property; notice to permit
32 holder; bench to be removed; twelve-month restriction.**” is hereby renumbered, amended by
33 adding the underlined language, and deleting the stricken language as follows:

34
35 **“Sec. 22-1254. - Objection to permit by property owner for benches located on**
36 **private property; notice to permit holder; bench to be removed.**

37 Upon the filing by the owner or lessee or tenant, if any, or authorized
38 representative with the Mobility Department ~~department of public works~~ of an
39 objection in writing to the permit issued to the applicant to install or maintain a
40 bench on private property ~~upon, in front of or alongside~~ the property of such
41 owner, lessee, tenant or authorized representative, the permit issued to such
42 applicant shall be revoked by ~~DPW~~ the Mobility Department as to such location,
43 and notice of such revocation shall be forthwith given by Mobility Department

1 ~~DPW to the permittee person to whom the permit shall have been issued~~
2 ~~therefor, and it shall be the duty of the permittee such person owning such bench~~
3 ~~to remove it from such location within ten (10) days after the mailing of such~~
4 ~~notice receipt of written notice from the Mobility Department. For a period of~~
5 ~~twelve (12) months from and after the date such revocation is filed by a property~~
6 ~~owner, lessee, tenant or authorized representative, no permit shall be issued for~~
7 ~~the placement of a bench upon in front of or alongside of the property of such~~
8 ~~owner or authorized representative as to which such revocation pertains."~~
9

10 **Section 11.** That "**Sec. 22-125. – Maintenance.**" is hereby renumbered, amended by
11 adding the underlined language, and deleting the stricken language as follows:
12

13 **"Sec. 22-1265. - Maintenance.**

14
15 (a) ~~All persons to whom a permit shall be issued for the placing~~ Permittee is
16 responsible for placement and maintenance of benches within the corporate
17 limits of the city as herein provided shall, at their own cost and expense, repair,
18 keep and maintain such benches in good condition and repair and shall replace all
19 unsound, unsightly or damaged materials with good, sound, sightly material, and
20 all weathered or defaced surfaces shall be restored or replaced so as to maintain
21 such benches at all times in good, safe and sound condition and shall, without cost
22 to the city, remove or cause to be removed from under and around each of such
23 benches for a distance of five (5) feet there from all trash, dirt, rubbish or
24 unsanitary matter and shall keep any grass and weeds within such area trimmed
25 or mowed, and failure to do so shall be grounds for the revocation of the permit
26 by the Mobility Department ~~department of public works~~.
27

28 (b) Benches and advertising will be subject to inspection by the city at any
29 time for compliance with the location requirements and bench standards on file
30 in the ~~DPW~~ Mobility Department. Such inspection will be for the sole benefit of
31 the city and shall not relieve the permittee of the responsibility of providing
32 measures to ensure that the benches, advertising and placement of the benches
33 strictly complies with this article and the bench standards set by the Mobility
34 Department ~~DPW~~."
35

36 **Section 12.** That "**Sec. 22-126. – Advertising matter permitted on bench.**" is hereby
37 renumbered, amended by adding the underlined language, and deleting the stricken language as
38 follows:
39

40 **"Sec. 22-1276. - Advertising matter permitted on bench.**

41 Each permittee shall have the right to rent and display advertising upon benches
42 permitted pursuant to this article, subject, however, to the following criteria and
43 exceptions:

...

(3) No advertising shall be permitted to appear upon benches placed within the downtown business district more particularly described as follows: that area bounded on the north by Scott Street, on the south by ~~Brerein Street~~ Garrison Channel, on the east by ~~East Street~~ Meridian Avenue, and on the west by the Hillsborough River;

..."

Section 13. That "Sec. 22-127. – Right of owner of property to maintain benches on sidewalks adjacent to property." is hereby amended by deleting the stricken language as follows:

~~"Sec. 22-127. – Right of owner of property to maintain benches on sidewalks adjacent to property.~~

~~The owner or owner's lessee, tenant or designee of the property abutting upon a sidewalk shall have the right, upon compliance with and subject to the provisions of this article, with the exception of section 22-122 hereof, to place and maintain benches upon his property or upon the sidewalk adjacent to the owner's property and to place thereon advertisement of his own business, product or service, provided that such business, product or service is conducted or offered upon such property, but no other advertising matter than that pertaining to such owner's, lessee's or tenant's business shall be permitted thereon. However, all advertising is prohibited on benches located in the downtown business district, as such district is defined in this chapter, and all other provisions of this article relating to the location and construction of benches shall apply."~~

Section 14. That "Sec. 22-128. - Removal of bench in case of emergency, during construction." is hereby amended by adding the underlined language and deleting the stricken language as follows:

"Sec. 22-128. - Removal of bench in case of emergency, during construction.

Whenever an emergency shall exist which, in the opinion of the city, requires the temporary removal of any bench licensed and permitted hereunder, the city shall have full power and authority, either with or without notice to the owner of such bench, to remove same temporarily to a safe location for the duration of such emergency and shall cause such bench to be returned to its location at the expense of the city after the termination of such emergency. However, removal ~~Removal~~ of benches during periods of construction work shall be the responsibility of the owner of such benches."

1
2
3 **Section 15.** That “**Sec. 22-132. – Revocation of bench permit.**” is hereby amended by
4 adding the underlined language and deleting the stricken language as follows:
5

6 **“Sec. 22-132. - Revocation of bench permit.**

7 (a) Notwithstanding the provisions contained in this article, the ~~director of~~
8 ~~the department of public works~~ Mobility Department director or their designee,
9 upon written notice to the permittee, may order removal within ten (10) days of
10 any particular bench or advertising thereon for failure to comply with any
11 provisions of this article or any other provision of this Code or for any of the
12 following reasons:
13

14

15 (4) If, in the sole discretion of the Mobility Department director or their
16 designee ~~director of the DPW~~, the need for the bench or special manner in which
17 it is placed no longer exists.
18

19 (b) If the permittee fails to remove any such bench within ten (10) days of the
20 written notice issued by the Mobility Department director or their designee ~~DPW~~,
21 the city may remove and dispose of such bench, and the cost of such removal and
22 disposal shall be borne by the permittee.”
23

24 **Section 16.** That “**Sec. 22-133. – Relocation of benches.**” is hereby amended by adding
25 the underlined language and deleting the stricken language as follows:
26

27 **“Sec. 22-133. - ~~Relocation of benches.~~ Modification of bus route/bus stop.**

28 ~~Whenever bus routes are altered or abandoned and new routes are established~~
29 ~~or whenever bus stops on a given bus route are realigned so as to necessitate the~~
30 ~~relocation of permitted benches, the previously issued permits for such benches~~
31 ~~shall continue in full force and effect at the new locations, provided that the~~
32 ~~placement of such benches at the new locations conforms to the criteria set forth~~
33 ~~elsewhere herein, and provided that the department of public works has~~
34 ~~consented in writing in advance of the change of locations. Further, outstanding~~
35 ~~permits for benches at the eliminated bus stops shall be given first priority, in like~~
36 ~~number, for the placement of benches at the newly established stops. Whenever~~
37 ~~a bus stop is eliminated, any existing authorization for a bench at such stop shall~~
38 ~~become void within ninety (90) days of the date of elimination of the bus stop,~~
39 ~~unless DPW is requested and determines that the bench is a public convenience~~
40 ~~at that site, as provided for in this chapter.~~

41 Whenever a regional transit authority modifies bus route(s), including the
42 realignment of the route(s), any existing authorization for a bench and/or
43 concrete pad at such bus stop(s) shall become void within ninety (90) days of the

1 date of modification of the bus stop(s). At the request of the Mobility Department
2 director or their designee, the permittee shall remove any structures, including
3 the concrete pad and benches, installed by the permittee unless the Mobility
4 Department deems it beneficial to retain these structures at the site for public
5 convenience as provided for in this chapter."
6

7 **Section 17.** That should a court of competent jurisdiction declare any part of this
8 Ordinance invalid the remaining parts hereof shall not, in any way, be affected by such
9 determination as to the invalid part.

10
11 **Section 18.** That all ordinances or parts of ordinances in conflict herewith are hereby
12 repealed to the extent of any conflict.
13

14 **Section 19.** That this Ordinance shall take effect immediately upon becoming a law.

15
16 **PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON**
17 **OCT 17 2024**.
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21 
22 CHAIR/CHAIR PRO-TEM
23 TAMPA CITY COUNCIL

24 ATTEST:

25 
26 CITY CLERK/DEPUTY CITY CLERK

27 APPROVED BY ME ON 10/22/24

28 
29 JANE CASTOR, MAYOR
30
31

32 PREPARED AND APPROVED
33 AS TO LEGAL SUFFICIENCY BY:

34 
35 EMMA C. GREGORY
36 ASSISTANT CITY ATTORNEY
37